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November 12, 2002

VIA OVERNIGHT DELIVERY

Mr. Mike Ribordy
United States Environmental Protection Agency
Region 5
77 West Jackson Blvd., SR-6J
Chicago, IL 60604-4592

Re: **Sauget Area 2 Site
Groundwater Operable Unit**

Dear Mr. Ribordy:

I represent Phillips Petroleum Company. I appreciated the opportunity to attend the briefing you and Tom Martin presented on November 6, 2002 regarding Sauget 2 site. At the meeting, Tom Martin stated that the effective date for the Unilateral Administrative Order is November 15, 2002 and that responses required by Paragraph 99 of the UAO would be due by that date.

In my letter of October 28, 2002 I set forth Phillips Petroleum Company's position as an innocent landowner in this matter. This letter supplements my prior letter and, on the basis set forth in my prior letter and in this letter, requests that Phillips Petroleum Company be removed from the PRP list for this site.

As stated in my prior letter, the sole basis on which Phillips has been named as a PRP in the UAO was its ownership of property in Site Q. During the November 16th meeting, you explained that in issuing the UAO, the EPA only considered the "dogleg" section of Site Q, and that the area to the south was "not part of this action." This is consistent with Paragraph 20(b) of the UAO which is entitled "Site Q (dogleg)."

Phillips' property consists of approximately 13 acres situated at the southern end of Site Q, wholly outside of the dogleg. Phillips has not owned or operated any property situated within the Site Q dogleg. Thus, Phillips' property is not part of a facility from which there has been a release or threatened release of hazardous substances within the meaning of CERCLA Section 107 (a) (1) and (2) for the captioned site. Accordingly, based on the express language of the UAO and the description of the property at issue during the meeting, Phillips should not be considered a PRP in this action.

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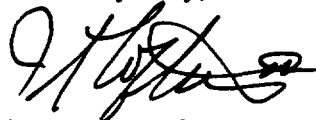
Moreover, none of Phillips' operations contributed to any of the contamination the UAO addresses. Phillips formerly used its property as a barge loading facility. Those operations terminated around 1983, and no use of the Phillips' property has been made since that time. This is consistent with your statement at the meeting that the EPA had no information that the area where Phillips' property is located was contributing to the problem that the UAO is to address. Rather, you identified a corridor running through the Site Q dogleg as the only area of interest in Site Q for this UAO.

In view of the foregoing and in response to Paragraph No. 99 of the UAO, Phillips respectfully declines to participate in the response action. Additionally Phillips requests that it be deleted as a PRP and relieved of the recording obligation set forth in Paragraph No. 41 of the UAO. Without prejudice to the foregoing, and as requested by Paragraph 79 of the UAO, Phillips certifies that it has not altered, mutilated, discarded, destroyed or otherwise disposed of records, documents or other information related to its ownership of the property described above. Phillips requests that it be relieved of this certification obligation upon being deleted as a PRP in this matter.

During the meeting, you stated that the EPA may conduct individual conferences to consider such requests. Phillips will be happy to participate in such a conference to address any questions you may have.

Again, thank you for your attention to this matter. I look forward to hearing from you soon. Please call me if you have any questions.

Yours very truly,



Thomas A. Loftus, III

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cc: Mr. Thomas Martin ✓
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